

SUMMARY OF INTERVIEW

Attendees, Date and Type of Interview

The interview was conducted on January 28, 2009 and attended by Primary Examiner Susanna M. Meinecke Diaz, and Applicant's representative, David Weiss.

Exhibits and/or Demonstrations

None.

Identification of Claims Discussed

None.

Identification of Prior Art Discussed

None.

Proposed Amendments

None.

Principal Arguments and Other Matters

Applicant's representative pointed out that there was a misfiling of the Inventor Declaration for the 09/715,929 application. This misfiling occurred without deceptive intent, and is the result of an unintentional error in the Serial Number in the Inventor Declaration that corresponds to the '929 patent application. Because of this error, the wrong Declaration (i.e., the Declaration intended for Application No. 09/715,850) was associated with the '929 application, while the Declaration intended for the '929 application was associated with the '850 application.

In particular, Applicant's representative noted that the Declaration which should have been filed in the '929 application, correctly identifies the title ("Methods And Systems For Processing Distributed Feedback") that appears on the specification filed for the '929 application, includes the same attorney docket number (AMAZON.054A) that appears on the first page of the specification of the '929 application, correctly names the inventors (Warren Adams, Kenneth L. Dinovo, Michael McDaniel, Ryan J. Snodgrass, Brian Robertson, Jennifer A. Jacobi) of the claims submitted in the '929 application, and includes the correct filing date (November 17, 2000). However, the last three digits of the serial number in the Declaration are incorrect, and

inadvertently includes the last three digits of the '850 application. Hence, the Declaration intended for the present application ("Methods and Systems for Processing Distributed Feedback") was misfiled and placed in the '850 application file (where the specification includes the title "Methods and Systems for Distributing Information within a Dynamically Defined Community"). Similarly, the Inventor Declaration intended for the '850 application was misfiled and placed in the present application, even though the application title in the Declaration ("Methods and Systems for Distributing Information within a Dynamically Defined Community") and the attorney docket (AMAZON.053A) differ from that on the specification filed in the present application.

In other words, the '850 Declaration was erroneously filed in the '929 application, and the '929 Declaration was erroneously filed in the '850 application.

Therefore, Applicant requested that the Examiner correct the last 3 digits of the serial number in the attached Declaration (which had been originally been filed in the '850 application), and place it in the file of the present case. The last 3 digits of the serial number in the Declaration should read "929" instead of "850".

A corresponding request was granted in the '929 application.

As discussed in the interview, MPEP 602.03 allows the Examiner to waive such minor errors in the Declaration. The relevant text is as follows.

"When an application is otherwise ready for issue, an examiner with full signatory authority may waive the following minor deficiencies:

Minor deficiencies in the body of the oath or Declaration where the deficiencies are self-evidently cured in the rest of the oath or Declaration. In re Searles, 422 F.2d 431, 437, 164 USPQ 623, 628 (CCPA 1970).

If such a deficiency is waived, the examiner with full signatory authority should write in the margin of the Declaration or oath a notation why the deficiency was waived, indicate that the application is ready for issue, and provide his or her initials and the date."

Because the Declaration which Applicant requests be filed in the present application adequately identifies the present application (by title, attorney docket number, filing date,

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inventors, see MPEP 602 Section VI), Applicant believes that the minor error in the serial number is cured by the remainder of the Declaration.

Applicant therefore respectfully requested that the Examiner correct the Declaration.

Results of Interview

The Examiner agreed to consider whether the misfiling could be corrected as proposed by Applicant's representative.